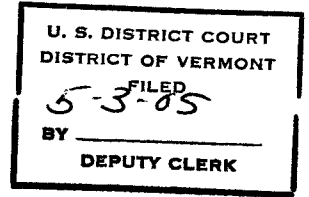


UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT



ELAINE CHAO, Secretary of Labor,)
U.S. Department of Labor,)
Plaintiff,)

v.)

Civil No. 2:05-CV-81

MICHAEL TATKO, individually, and)
doing business as COLORED SLATE)
PRODUCTS COMPANY,)
Defendant.)

PRELIMINARY INJUNCTION

Based upon the findings of fact stated on the record on April 22 and May 3, 2005, the Court concludes that plaintiff has established a likelihood of success on the merits and irreparable harm should this preliminary injunction not issue. Therefore,

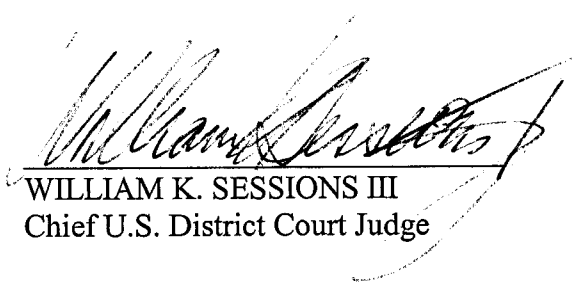
IT IS ORDERED, ADJUDGED, AND DECREED that the defendant Michael Tatko, his agents, employees, and all others in active concert and participation with him, be preliminarily enjoined as follows:

1. That the Defendant, his agents and employees cease and desist from permitting any person to enter any portion of the Debonis Road Quarry Mine until an authorized representative of the Secretary of Labor has terminated, modified, or withdrawn Citation and Order of Withdrawal Nos. 6023751 and 6022539;
2. That the Defendant, his agents and employees cease and desist from operating or otherwise using the Debonis Road Quarry Mine, until the Secretary of Labor is able to finish the inspection that began on December 1, 2004, and any violative conditions noted during said inspection have been totally abated and terminated;

3. That the Defendant, his agents and employees cease and desist from interfering with, hindering, or delaying the Secretary of Labor or her authorized representative(s) in carrying out the provisions of the Act .

IT IS FURTHER ORDERED that the United States Marshal serve a copy of this Order by delivering same to Michael Tatko and by conspicuously posting same at the Debonis Road Quarry Mine located in or near Rutland County, Vermont.

Dated this May 3rd, 2005



WILLIAM K. SESSIONS III
Chief U.S. District Court Judge